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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

MELANIE OCHS,

Petitioner,

vs.

JERRY HOWELL, *et al.*,

Respondents.

Case No. 2:16-cv-00982-JCM-DJA

**STIPULATED EXTENSION OF
TIME FOR COMPLIANCE WITH
JANUARY 17, 2023 ORDER (ECF
NO. 66)**

(Third Request)

On January 17, 2023, this Court entered its final judgment (ECF No. 67), granting in part Melanie Ochs's Amended Petition for Writ of Habeas Corpus (ECF No. 18), and enforcing the Ninth Circuit Court of Appeals decision to reverse Melanie Ochs state conviction for first-degree murder (ECF No. 62). This Court instructed:

Petitioner Melanie Ochs shall be released from all custody and/or other restraints, including parole or other supervision, unless the state, through the respondents, files a written election in this matter within 30 days of the date of this order of its intention to retry Ochs and thereafter commences jury selection in the retrial within 120 days following the election to retry Ochs, subject to reasonable requests for modification of the time periods.

ECF No. 66.

Since the Court's January 17, 2023 order, the parties sought and received two extensions. ECF Nos. 69, 72. The expiration of time to file a written election of the intent to retry Ochs will expire on April 20, 2023. However, good cause exists to extend the deadlines established by the Court.

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IT IS HEREBY STIPULATED AND AGREED that:

1. This matter came before the state trial court for status check on negotiations for the third time on April 11, 2023.

2. State counsel requested and the state trial court granted one additional continuance to May 9, 2023 for status check on negotiations.

3. The state trial court indicated that this would be the last continuance for negotiations and that if this matter is not negotiated by May 9, 2023, a trial date will be set.

2. The undersigned, in consultation with state counsel, agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by an additional twenty-nine days, or until Friday, May 19, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated this April 14, 2023

Dated this April 14, 2023

RENE L. VALLADARES
Federal Public Defender

AARON D. FORD
Attorney General

/s/ Amelia Bizzaro
Amelia L. Bizzaro
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Attorney for Petitioner


/s/ Adam Woodrum
Adam L. Woodrum (NV Bar No. 10284)
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100 N. Carson Street
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ORDER OF THE COURT

The parties have submitted a third stipulation requesting this Court to extend the deadlines in its January 17, 2023, order by twenty-nine days. Based on this stipulation and for good cause shown:

IT IS HEREBY ORDERED that the deadlines the parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by twenty-nine days, or until Friday, May 19, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated April 14, 2023.



JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 14th of day of April, 2023, I served a copy of the foregoing **STIPULATED EXTENSION OF TIME FOR COMPLIANCE WITH JANUARY 17, 2023 ORDER (ECF NO. 66)**, by U.S. District Court CM/ECF electronic filing to:

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/s/ Amanda White